UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

RONALD GARREN,

Plaintiff

v.

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JAMES DZURENDA, et al.,

Defendants

Case No.: 3:23-cv-00141-MMD-CSD

Order

Re: ECF Nos. 4, 5

Plaintiff, who is a prisoner in custody of the Nevada Department of Corrections, has filed a pro se civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF No. 11.)

The district court screened Plaintiff's complaint and allowed him to proceed with a claim for retaliation against Davis, an equal protection claim against Dzurenda, Castro, Garrett, and Williams related to a regulation that requires inmates to prove Native American heritage to participate in sweat lodge ceremonies, as well as claims under the First Amendment and the 15 Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) against LeGrand, Castro, Garrett, and Wickham regarding being refused to perform the sweat lodge/prayer pipe ceremony required by his religion. (ECF No. 10.)

Plaintiff has filed a motion for preliminary injunction and temporary restraining order (TRO). (ECF Nos. 4, 5.) He seeks an order requiring staff at Lovelock Correctional Center (LCC) to allow Native Americans to conduct a "sweat lodge prayer pre-smudging ceremony" weekly as they did prior to COVID-19.

On or before **December 5**, **2023**, the Attorney General's Office shall advise the court whether it will enter a limited notice of appearance on behalf of Defendants for the purpose of

responding to Plaintiff's motion for preliminary injunction/TRO. If the Attorney General's Office is willing to enter a limited notice of appearance, then also on or before **December 5**, 2023, the Attorney General's Office shall file a response to Plaintiff's motion for preliminary injunction/TRO. On or before **December 12, 2023**, Plaintiff shall file a reply brief in support of his motion. The court will determine at that point whether to hold a hearing. Therefore, Plaintiff's motion for a hearing on the motions (ECF No. 8) is **DENIED WITHOUT** 7 PREJUDICE. 8 The Clerk of Court shall electronically serve a copy of this Order, a copy of Plaintiff's 9 complaint (ECF No. 11), a copy of the order screening the complaint (ECF No. 10), as well as a copy of Plaintiff's motion for preliminary injunction/TRO (ECF Nos. 4, 5) on the Nevada Attorney General's Office by adding the Nevada Attorney General's Office to the docket sheet. 111 This will not constitute a general appearance. 13 Plaintiff is advised that there is still a stay entered in this case while the parties participate in the court's early mediation program. As such, Plaintiff shall not file any other documents with 15 the court while the stay is in place except for his reply brief as directed in this Order. 16 IT IS SO ORDERED. 17 Dated: November 17, 2023 18 19 United States Magistrate Judge 20 21 22 23